MR. K. KUNJUKRISHNA PILLAI :

373. To reduce the allotment of Rs. 10,380 for travelling allowance by Re. 1.

MR. K. PADMANABHAN :

374. To omit the allotment of Rs. 700 for the planting of bamboos at the Cochin frontier.

MR. K. KUNJUKRISHNA PILLAI :

375. To reduce the allotment of Rs. 700 for the planting of bamboos at the Cochin frontier by Re. 1.

MR. K. R. ELENKATH :

376. To reduce the allotment of Rs. 76,151 for Ranges by Re. 1.

MR. K. R ELENKATH :

377. To reduce the allotment of Rs. 3,13,766 for Provincial staff etc., and local allowances by Re. 1.

MR. PUTHUPALLI S. KRISHNA PILLAI :

378. To reduce the allotment of Rs 3,80,101 for Excise by Re. 1.

MR. K. KUNJUKRISHNA PILLAI :

379. To reduce the allotment of Rs. 3,30,101 for Excise by Re. 1.

MR. S. NILAKANTA PILLAI :

380. To reduce the allotment of Rs. 27,430 for Customs by Rs. 5.

MR. T. P. VELAYUDHAN PILLAI :

381. To reduce the allotment of Rs. 27,430 for Customs by Re. 1.

MR. S. J. NAIR :

382. To reduce the allotment of Rs. 90,188 for Customs by Re. 1.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI :

383. To reduce the allotment of Rs. 90,183 for Customs by Re. 1.

MR. T. P. VELAYUDHAN PILLAI :

384. To reduce the allotment of Rs. 90, 183 for Customs by Rs. 5.

DEMAND VIII—ADMINISTRATION OF JUSTICE.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I rise to move for a grant, not exceedings Rs. 10,76,241 under Demand VIII—Administration of Justice.

Motion No. 385.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*) : Sir, I beg to move—

"*That the allotment of Rs. 8,189 for salaries be reduced by Re. 1.*"

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I rise to a point of order. Sir, the amount refers to the salaries of the Registrar, the Deputy Regitsrar, the Manager and the Special Officer for Law's Delays. So far as these four officers are concerned, they have nothing to do with the importation of outsiders as High Court Judges.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Following the rulings we have had in this House,——

DEPUTY PRESIDENT : Will the member kindly lay his hands on any particular ruling ? I cannot act on a general statement like that.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Under establishment charges, when a particular duty devolves on the clerks, a discussion is allowed under that head.

LIBRARY ARCHIVES Kerala Legislative Assembly

DEPUTY PRESIDENT: The member is raising a point of order, but cannot argue further on it without providing the authority on which you rely.

MR. A. THANU PILLAI (*Trivandrum-Rural*) That has been done here.

DEPUTY PRESIDENT: What has been done ?

MR. A. THANU PILLAI (*Trivandrum-Rural*) : I do not propose to do it.

DEPUTY PRESIDENT: If the member does so the House and the Chair will be obliged.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Everybody knows it.

DEPUTY PRESIDENT : I am very sorry to say that what everybody knows is not a matter on which one can act. Everybody knows many things.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*) : Sir, Rs. 8,189 may or may not be the salary of four or five officers; but what I wish to say is that that represents the total of the votable amount under salaries in the High Court, and I cannot give a cut motion on anything else.

DEPUTY PRESIDENT: I consider the motion out of order, for by no stretch of imagination am I able to hold that the appointment of Judges on which occasion alone the question of importation can arise is left either to the Registrar or any of those persons mentioned in the budget, under the present head.

MR. A. THANU PILLAI (*Trivandzum-Rural*) : May I make one submission for the consideration of the Chair ? In that view, how can the appointment of judges be discussed at all ?

DEPUTY PRESIDENT: I am not bound to give legal advice.

MR. A. THANU PILLAI (*Trivandrum-Rural*) ; I am not asking for legal advice. I submit for the consideration of the Chair this fact that in that view the question of appointment of judges can by no means be discussed because —

DEPUTY PRESIDENT · That is questioning a ruling of the Chair.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : It is not questioning a ruling of the Chair.

DEPUTY PRESIDENT: I am not prepared to allow that. The questioning may be either in express words or by implication. The Chair has ruled that Mr. Padmanabha Pillai's motion is out of order. When another question comes, Mr. Thanu Pillai can put it before the House.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*) : I request the Chair to give me permission to amend my motion and substitute " Rs. 72,994 for High Court " for " Rs 8,189 for salaries. "

DEPUTY PRESIDENT: That cannot be done now. The member will have to wait for some time.

Motion No. 386.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*) : Sir, I beg to move—

To reduce the allotment of Rs. 813 for Special Officer to dispose of the recommendations of the Law's Delays Commissioner by Re. 1.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, on that also, I rise to a point of order. That does not arise under Special Officer. For instance, I may say that if this one rupee is reduced, the Special Officer will have to be paid his salary less one rupee.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Sir, Rs. 813 is for the Special Officer to dispose of the recommendations of the Law's Delays Commissioner. The Special Officer is appointed only now, many years after the recommendations of the Law's Delays Commissioner were submitted to the Government. To point out the defect in the appointment of the special officer, the kind of work that he has to do and how he has to deal with the recommendations in regard to the opening of a District Court at Mavelikara—all these will come under this and under this alone.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : This special officer is appointed to make his recommendations and place them before the High Court. He has to deal with the amendment of the rules, issue of circulars and instructions as to how to dispose of work. It is for that purpose that he is appointed.

DEPUTY PRESIDENT : If the Government member is able to show that the question of establishing a District Court at Mavelikara is beyond the purview of the work of the Special Officer, that would be a different matter.

MR. V. RAMAKRISHNA PANICKAR (*Kartigapalli* II) : Sir, the allotment is made to provide for the salary of the special officer. He is appointed to deal with the recommendations of the Law's Delays Commissioner. One of the recommendations of the Law's Delays Commissioner is the establishment of a District Court at Mavelikara.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I wish to say one word. It is not exactly the discussion of this subject that I object to under this head. The difficulty will be this. If this motion is carried, the effect of it will be what is not contemplated by this House. The special officer will have to be given his salary *minus* one rupee. That is not intended, I am sure, by this House. The intention of the House is to pass a token motion stressing the necessity for the establishment of a District Court at Mavelikara but not to inflict a loss of salary on the special officer.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : If that is so, no reduction of salary can be moved

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : For instance, it may be discussed under a motion to reduce the allotment for contingencies.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : When a particular matter could be disposed of under a specific head, the token motion also must be under that head.

DEPUTY PRESIDENT : I consider the motion in order.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. V. RAMAKRISHNA PANICKAR : (*Kartikapalli II*): Sir, the establishment of a District Court at Mavelikara is justifiable on more grounds than one. First of all, it will relieve the heavy work in the District Courts of Quilon and Alleppey. There are eight or nine Munsiffs' Courts under the Quilon District Court ; and if I remember correct, there are five Munsiffs' Courts under the District Court of Alleppey. That there is accumulation and pressure of work in these courts is evident from the fact that three Judges are retained in the Alleppey District Court. Of course, if some of the Munsiffs under these District Courts are taken out of their jurisdiction and brought under the proposed new District Court, then undoubtedly it will give relief to the District Courts of Quilon and Alleppey.

Another ground which I wish to urge is that it will give relief to the people in and around Mavelikara in mitigating the cost and labour in litigation. Mavelikara is a central place so far as Haripad, Krishnapuram, Adur, Chengannur and Pathanamthitta Munsiffs' Courts are concerned. At Mavelikara itself, there is a Munsiff's Court. Mavelikara is not more than 9 or 10 miles from any of these places. So, that is a convenient locality for establishing a new District Court. Mavelikara is a very important place. In times of old there was a Zilla Court there. It was once the seat of Government. During the time of Ramaien Dalava, the Huzur Cutcherry was held at Mavelikara. It is a very important place and therefore it is only expedient that a District Court is established there to give relief to the District Courts of Quilon and Alleppey and to the people inhabiting the locality.

DEPUTY PRESIDENT : I did not hear one word about the Law's Delays Commissioner.

MR. V RAMAKRISHNA PANICKAR (*Kartikapalli II*): I submitted that one of the recommendations of the Law's Delays Commissioner was the establishment of a District Court at Mavelikara ; and my point also is to the same effect that a District Court should be established at Mavelikara in accordance with the recommendations made by the Law's Delays Commissioner. A special officer is appointed to deal with the recommendations of the Law's Delays Commissioner and as such he should attend to this matter also. That is what I wish to bring to the notice of Government at this stage.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I rise to second the motion. The Law's Delays has been a subject of very great concern to the people of this country for a long time. After persistent demand, the Law's Delays Commissioner was appointed. He was a person with very long experience in the Judicial Department of the State. He travelled throughout the State and made certain recommendations. One of the recommendations was that a District Court be established at Mavelikara. Though the Report was submitted about five years ago, this recommendation has not yet been brought into effect. When the question was placed before the Government, it was stated that the Government will first consider the recommendations regarding

LIBRARY ARCHIVES Kerala Legislative Assembly

change in procedure and then take up the establishment of courts. But, Sir, Government have established a court at Pathanamthitta on the basis of the Report of the Law's Delays Commissioner.

The necessity for a court is felt at Mavelikara. That is evident from the fact that a memorandum of the High Court placed on the table of this House emphasises that an additional District Judge might be appointed as recommended by the Law's Delays Commissioner. Mavelikara is the only place where he has recommended the establishment of a District Court. Arrears have been increasing and the remedy is the appointment of more judicial officers, at least temporarily. Sir, Mavelikara, as explained by Mr. V. Ramakrishna Panicker, is a place most fitted—

MR. A. THANU PILLAI (*Trivandrum—Rural*): There is a larger amount of pendency in Trivandrum than in Quilon.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): My friend has not understood the whole aspect of the case.

MR. A. THANU PILLAI (*Trivandrum—Rural*); I believe the proposal is to shift one of the Judges to Mavelikara.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): That is not the proposal.

The Law's Delays Commissioner has recommended that Mavelikara is the place central to Quilon, Alleppey and Kottayam. In all these three places, there are District Courts. It was, therefore, recommended that a District Court may be established at a central place to lighten the work in all those District Courts. The arrears have not yet gone down. I think it is only fair both to the officer who has recommended and to the people who expected that the proposal will be carried out, that a court be established at Mavelikara. The Special Officer who had been appointed at this late stage to consider the recommendations of the Law's Delays Commissioner may be asked to consider this matter as well.

I do not know why this Special Officer should again sit in judgment over the report of the Law's Delays Commissioner. The Law's Delays Commissioner was a retired High Court Judge and he was assisted by a Second Judge who now adorns the High Court. Now a Senior Munsiff is appointed to consider that Report. Anyhow I hope the matter will be taken into consideration.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Is the Special Officer working under the orders of the High Court or is he working independently of the High Court?

MR. K. PADMANABHAN (*Chirayinkil I*): Sir, I rise to oppose the motion. The object of the motion as indicated by the honourable mover is to stress the necessity for establishing a District Court at Mavelikara. Sir, this is a motion relating to a local need and the precedents of this House go to show that local needs cannot ordinarily be discussed here under a token cut.

DEPUTY PRESIDENT: That is beside the point. That question does not arise. Once the motion has been allowed to be moved, the member cannot question that.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. K. PADMANABHAN (*Chirayinkil I*): Sir, Law's Delays is a very big question. A Special Officer was appointed to go into the question and submit a report. That Report contains very many recommendations. This method of taking the Report piecemeal is not the proper way of dealing with the recommendations. The problem should be tackled as a whole. The Commissioner has recommended various remedies to combat law's delays. The Government should consider the report in all its aspects and pass orders on all recommendations. The motion relates to the establishment of a court at Mavelikara. That is not the proper way of approaching this question. It is the duty of Government to accept the recommendations of the Law's Delays Commissioner in proper spirit and try to work them up. Because this motion relates only to a particular portion of his report, I cannot lend my support to it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I oppose this motion. It is true that there has been a proposal to establish a District Court at Mavelikara or at some such place in Central Travancore.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Mavelikara has been specially mentioned.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The chief reason for this proposal to establish a court at Mavelikara or some other place in Central Travancore, has been the large volume of work at Quilon. It was found by the Law's Delays Commissioner as well as by others that the work in the Quilon District Court was ever on the increase and that, if the volume of work in a court goes beyond a certain limit, the progress of work in such Court will be retarded and that as such there will not be expeditious disposal of suits. The remedy suggested in the case of Quilon was that one of the three courts at Quilon should be shifted to Mavelikara. The question was investigated in that light, and there was, of course, the question of personnel also. On consideration, Government ordered that the proposal must wait for financial reasons. But now, for some other reason, the entire aspect of the position has changed. It has been noticed now that the work of the Quilon Court has fallen down considerably. The High Court say specially that the volume of work in the Quilon District Court has gone down and they on that ground recommended the shifting of one of the Courts at Quilon to Trivandrum. Therefore, the specific reason that existed once for shifting a court to Mavelikara does not exist to-day. If, however, on a future day, the reason is again found to exist, the question may be considered then.

Another reason why the question was held over was financial, as stated already. It may not be possible to establish a court all at once. I cannot in the circumstances hold out any hope at present that a District Court will be established at Mavelikara. But the High Court will no doubt consider this matter also when they decide on a re-distribution of the jurisdictions of the several courts.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): In view of the assurance given by the Law Member that the High Court will consider the matter, I withdraw the motion.

The motion was, by leave, withdrawn.

Motion No. 387.

MR. S. J. NAIR (*Nedumangad*): Sir, I move.

To reduce the allotment of Rs. 2,000 for travelling allowance by Re. 1.

I move this motion in order to discuss the urgent need for confirming the Temporary Munsiff's court at Nedumangad.

DEPUTY PRESIDENT: It appears to me that the motion is out of order. For, it is a matter which to my mind is possible of being judged without any travelling. Official documents can give the number of cases and all that.

MR. S. J. NAIR (*Nedumangad*): Only if the Judges travel and understand the condition of the people, the taluk, the desire of the place, the increasing volume of business in the court and see whether there are sufficient number of roads for the clients to conveniently attend the courts, only on looking into these matters, the Judges can come to the conclusion whether the temporary court at Nedumangad should be confirmed or not.

DEPUTY PRESIDENT: So far as the convenience of persons goes, how does it matter whether a court is temporary or permanent?

MR. S. J. NAIR (*Nedumangad*): The difference is this. There is a 'panavagai' clerk who is entrusted with all the moneys. There is no responsibility for the clerk, since he has not paid cash security. Only when the court is made permanent the clerk has to deposit money security. As matters stand now, the clerk has no sort of responsibility; and the responsibility of the Munsiff with respect to the money matters is serious. Also, there is no sufficient staff and accommodation for the court, the court remaining a temporary one.

DEPUTY PRESIDENT: That is not relevant. I rule it out of order.

Motion No 388.

MR. S. J. NAIR (*Nedumangad*): I do not make the motion in view of the fact that the Government have achieved their object two days ago.

The following motion was not moved:—

MR. S. J. NAIR:

388. To reduce the allotment of Rs. 2,000 for travelling allowance by Rs. 1

Motion No. 389.

DEPUTY PRESIDENT: In conformity with the practice adopted in the House I rule motion No. 389 out of order.

The following motion was therefore not moved:—

MR. S. NILAKANTA PILLAI:

389. To reduce the allotment of Rs. 2,000 for travelling allowance by Re. 1.

LIBRARY ARCHIVES Kerala Legislative Assembly

Motion No. 390.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*) ; I move.

To reduce the allotment of Rs. 2,000 by travelling allowance by Re. 1.

My object is to consider the question of shifting temporary or permanent courts from one place to another without due notice.

DEPUTY PRESIDENT : 'Without due notice', to whom is that notice?

MR S. NILAKANTA PILLAI (*Chirayinkil II*); To the public-

MR. S. J. NAIR (*Nedumangad*). I think this motion is not relevant.

DEPUTY PRESIDENT : We shall see what Mr. Nilakanta Pillai says.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): I want to speak about the shifting of the additional court at Attingal to Tiruvella.

DEPUTY PRESIDENT : What has that to do with the travelling allowance?

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Only a Judge who travels could know the necessity or otherwise of a court for a particular place.

DEPUTY PRESIDENT : These are things which could be done without any travelling.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): But, here, I may assure, Sir, that I have no objection to the Tiruvalla people having a court.

DEPUTY PRESIDENT : I rule the motion out of order.

Motion No. 391.

MR. N. E. VARUGHESE (*Tiruvalla I*): Sir, I move:—

To reduce the allotment of Rs. 2,000 for travelling allowance by Re. 1.

My object is to discuss the several means to wipe off the arrears in the several courts of the State.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): When there is a large volume of arrears in the High Court, how can they wipe off the arrears of the subordinate courts?

DEPUTY PRESIDENT : I wish the honourable members appreciate their rights as well as their duty. If Mr. Nilakanta Pillai wants to say anything about the arrears of the High Court, he will get an occasion to talk on it. Such an occasion has not arisen now.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): My point is that there being arrears in the High Court, how can they --

DEPUTY PRESIDENT : How can the Judges clear the arrears in moffusil courts when there are arrears in the High Court? That is a matter which does not arise so far as the admissibility of this motion is concerned.

MR. N. E. VARUGHESE (*Tiruvalla I*): That there are a large number of arrears in moffusil courts is a fact which cannot be denied by any one. From the duration of suits as well as pendency of suits, one can gather from page 37 and 38 of the Departmental Report that there are a large number of arrears. This is what is stated in the report :—

LIBRARY ARCHIVES Kerala Legislative Assembly

"The average duration of contested and uncontested original suits in District Courts was 1,191 and 184 days respectively against 1,133 and 426 days in 1109. The average duration of contested ordinary suits rose from 1,143 days in 1109 to 1,362 days in 1110, while that of uncontested ordinary suits fell from 456 days to 350 days. The longest duration of contested ordinary suits was at Kottayam, being 2,808 days, while that of uncontested ordinary suits was at Nagercoil being 638 days.

The arrears at the close of the year were 2,465 against 2,117 in 1109, of which 2,048 were ordinary suits and 417 were small causes against 2,071 and 46 respectively in 1109."

These facts go to show that the duration of suits and the pendency of suits in civil courts are rather too much.

MR. K. PADMANABHAN (*Chirayinkil I*): How can that be rectified by travelling ?

MR. N. E. VARUGHESE (*Tiruvalla I*): The Judges can make enquiries by consulting the members of the Bar and the leading members of the public.

MR. K. PADMANABHAN (*Chirayinkil I*): Are not the recommendations contained in the report of the Law's Delays Commissioner sufficient to bring down the pendency of suits ?

MR. N. E. VARUGHESE (*Tiruvalla I*): To some extent, yes.

MR. K. PADMANABHAN (*Chirayinkil I*): Then why should the Judges make further tours ?

MR. N. E. VARUGHESE (*Tiruvalla I*): To implement the recommendations of the Law's Delays Commissioner.

It was only three years ago the Law's Delays Commissioner was appointed by Government. He went into the question of law's delays very elaborately and suggested certain recommendations. But they are only shelved in the almirahs. As long as the arrears are cleared off by some means or other, there is no use of appointing additional hands for clearing the arrears.

MR. K. PADMANABHAN (*Chirayinkil I*): Is it the member's opinion that the arrears should be struck off the list ?

MR. N. E. VARUGHESE (*Tiruvalla I*): I do not say that, and I will be the last man to make that suggestion; I never said that. What I said was that the arrears should be wiped off by adopting some of my suggestions.

MR. T. K. ALEXANDER (*Kunnatnad I*): What is the member's suggestion ?

MR. N. E. VARUGHESE (*Tiruvalla I*): I am going to suggest that, in order to improve this state of affairs, temporary courts should be established in all places where there are huge arrears. If once the arrears are cleared, then it can be clearly found out which officer is working unsatisfactorily. As long as there are arrears, they cannot be expected to do efficient work. They will have to handle cases at least for adjournment. When so many cases are to be adjourned on a particular day, it requires some time. If these arrears are cleared, so much amount of time would be saved. So I would urge upon the attention of the House the desirability of opening additional temporary courts where there are large arrears.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I quite agree with Mr. Varughese that every effort should be made to wipe off these arrears. But how to achieve it, that is the question. As the Hon'ble members know full well, this question has been engaging the attention of Government for a very long time and they had appointed a Law's Delays Commissioner to deal with the whole question. He has made various recommendations, some of which have been already implemented and some remain yet to be taken up. Probably the majority of the recommendations have yet to be implemented; and, for that purpose a Special Officer has recently been appointed. He will draft the rules and circulars and do such other things so that such of the recommendations as are acceptable may be carried out immediately. The High Court has already issued some instructions and circulars and the arrears have gone down a little. I am told that, at the end of 1100, the number of original cases stood at 33,354 and that it has gone down to 31,354 at present. Perhaps, this cannot be said to be a substantial decrease. Still there *is* some decrease.

MR. S. J. NAIR (*Nedumangad*): May I know who is responsible for these arrears?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is very difficult to apportion the responsibility for it. Anyhow the arrears are there. The system of law that is in operating is also, to some extent, responsible for it. We are trying also to see whether that system of law cannot be changed. It is also suggested that the present system of conducting cases, the presence of a large number of Law Reports—

MR. S. J. NAIR (*Nedumangad*): May I khow whether it is the system of law that is responsible or the present system of recruitment?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): What I said was that the present system of law in some respects is responsible for the delays.

However, there is no difference between me and Mr. Varughese in regard to the fact of the arrear. Government are doing all that they can do to remedy this and when this House meets next time to vote on the Demand under this head, it may be possible for Government to say definitely that some definite further step has been taken in the same direction.

MR. A. THANU PILLAI (*Trivandrum—Rural*): How does the travel of the High Court Judges help to decrease the arrears?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If the Judges of the High Court travel too much, then the arrears in the High Court may mount up.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether the Agriculturists' Relief Bill when it becomes law will not solve this problem to some extent?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is a problametical matter.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. N E. VARUGHESE (*Tiruvalla I*): With the assurance given by the Law Member, I beg permission of the House to withdraw the motion.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): Sir, I object to the motion being withdrawn.

The motion for the withdrawal of the motion was put and carried.

The motion was, by leave, withdrawn.

Motions Nos. 392 to 401.

The following motions were not moved :—

MR. N. E. VARUGHESE :

392. To reduce the allotment of Rs. 2,000 for travelling allowance by Rs. 5.

MR. K. P. KRISHNA MENON :

393. To reduce the allotment of Rs. 2,000 for travelling allowance by Re 1.

MR. T. T. KESAVAN SASTRI :

394. To reduce the allotment of Rs. 2,000 for travelling allowance by Re. 1.

MR. N. JOHN JOSEPH :

395. To reduce the allotment of Rs 2,000 for travelling allowance by Re 1

MR. T. P. VELAYUDHAN PILLAI :

396. To reduce the allotment of Rs. 2 000 for travelling allowance by Re. 1.

MR. T. KRISHNA PILLAI :

397. To reduce the allotment of Rs. 2,000 for travelling allowance by Re. 1.

MR. V. RAMAKRISHNA PANICKAR :

398. To reduce the allotment of Rs 2,000 for travelling allowance by Re 1.

MR. V. RAMAKRISHNA PANICKAR :

399. To reduce the allotment of Rs. 2,000 for travelling allowance by Re. 1.

MR. S. J. NAIR :

400. To reduce the allotment of Rs. 72,994 for High Court by Re. 1.

MR. PUTHUPALLI S. KRISHNA PILLAI :

401. To reduce the allotment of Rs. 72,994 for High Court by Re. 1.

Motion No. 402.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Sir I move.

"*that the allotment of Rs. 72,994 for High Court be reduced by Re. 1.*"

I bring forward this motion to record my protest against the importation of outsiders as Judges in this country. We have been, during these last few days, hearing a good lot about the dearth of money in this country. But when we look at the appointments made, we wonder whether the death of money is even surpassed by the dearth of really efficient men and women in this country.

DEPUTY PRESIDENT: If it is a question relating to the appointment of High Court Judges, that has to be distinguished from the appointment of Judges of subordinate courts. So, unless the member explains what is in his mind, whether those remarks should apply to the High Court Judges, is a point which should be made clear before I am asked to pronounce upon the admissibility of the motion.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): It is the principle that I oppose, and not the appointment of any particular person or officer.

MR. K. PADMANABHAN (*Chirayinkil I*): Sir, I rise to a point of order. The appointment of the Judges of the High Court are made by His Highness the Maharaja. I doubt whether this House is at liberty to discuss that question. A similar ruling was given in this Session by the Dewan President.

DEPUTY PRESIDENT: I do not see any fresh arguments stated. I myself raised the objection before any member drew my attention to it. So far as the mover failed to tell me what class of officers this motion relates to, I am inclined to rule out the motion, unless the mover satisfies me that the effect is otherwise. Anyhow, it is time today, and the House will now adjourn to meet again tomorrow at 11' o clock.

The House adjourned at 5 P. M.

K. MADHAVA KURUP,
Secretary to the Sri Mulam Assembly.

LIBRARY ARCHIVES Kerala Legislative Assembly